

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on December 4, 2007 at 7.00 p.m. after the 6:30 p.m. caucus session, where the Council discussed pending agenda items; Depot surveillance cameras; and the rescheduled December 17, 2007 Council meeting due to the FutureGen announcement on December 18th at the former Time Theatre.

Mayor Cline presiding.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call in person: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also in attendance in person were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, Deputy Police Chief Adam Weinstock, Community Development Coordinator Kyle Gill, Intern Courtney Cooper, and City Clerk Susan J. O'Brien.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of: minutes of the regular meeting November 9 and joint council meeting November 27, 2007; police department report for the month of October, 2007; and payroll and bills for the last half of November, 2007.

**Bills and payroll for the last half of November**

**General Fund**

Payroll	\$	308,614.00
Bills	\$	<u>101,860.76</u>
Total	\$	410,474.76

**Hotel Tax Fund**

Payroll	\$	1,858.95
Bills	\$	<u>1,064.80</u>
Total	\$	2,923.75

**Festival Management**

Bills	\$	<u>6,049.55</u>
Total	\$	6,049.55

**Midtown TIF Fund**

Bills	\$	<u>248.77</u>
Total	\$	248.77

**Water Fund**

Payroll	\$	30,970.43
Bills	\$	<u>21,156.44</u>
Total	\$	52,126.87

**Sewer Fund**

Payroll	\$	25,977.28
Bills	\$	<u>78,420.92</u>
Total	\$	104,398.20

**Cemetery Fund**

Payroll	\$	3,329.31
Bills	\$	<u>201.71</u>
Total	\$	3,531.02

**Health Insurance**

Bills		\$	65,314.06
	Total	\$	65,314.06

**Motor Fuel Tax Fund**

Bills		\$	47.04
	Total	\$	47.04

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for public discussion. There was no public discussion.

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-823, approving a \$5,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Wrestling Club for hosting the Mattoon Kids Open January 6, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2007-824, approving \$23,000 in grants by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Pride Softball, Inc. for hosting five 2008 softball tournaments [ASA Season Opener; National Jr. College Association Region 24; Mattoon Pride Memorial Day Classic; Mattoon NSA World Series Qualifier; Mattoon Bagelfest Tournament].

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner McKenzie moved to adopt Resolution 2007-2724, authorizing an agreement with the Coles County Regional Planning & Development Commission for the administration and coordination services of the State of Illinois Public Improvements in Support of Economic Development CDAP Grant [Family Farmers Meats].

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2007-2724**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENTFOR CDAP GRANT ADMINISTRATION AND COORDINATION SERVICES WITH THE COLES COUNTY REGIONAL PLANNING & DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon was awarded a State of IL *Public Improvements in Support of Economic Development* Community Development Assistance Program (CDAP) Grant to be used for a Construction of Public Improvements in Support of Economic Development (Family Farmers Meats Facility) in the Mattoon Illinois vicinity, and,

WHEREAS, the Coles County Regional Planning and Development Commission prepared and submitted an IL Community Development Assistance Program (CDAP) grant application on behalf of the City with the understanding that the Coles County Regional Planning and Development Commission will be retained for administrative services if the application were is successful; and

WHEREAS, the City Council has examined the proposed contract agreement, entitled "CONTRACT AGREEMENT FOR ADMINISTRATION AND COORDINATION SERVICES FOR COMMUNITY DEVELOPMENT ASSISTANCE PROGRAM (CDAP) GRANT" and finds the agreement to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois, that the City enter into and execute this Contract Agreement for Administration and Coordination Services with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said Agreement.

Upon motion by Mayor Cline, seconded by Commissioner McKenzie, adopted this 4<sup>th</sup> day of December, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Resolution 2007-2725, authorizing a \$20,000 maximum agreement with the Coles County Regional Planning & Development Commission for Technical Assistance for services to be rendered from December 1, 2007 to November 30, 2008 on a time and expense basis.

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## CITY OF MATTOON, ILLINOIS

### RESOLUTION NO. 2007-2725

#### RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY REGIONAL PLANNING AND DEVELOPMENT COMMISSION

WHEREAS, the City of Mattoon has selected the Coles County Regional Planning and Development Commission to provide certain

Technical Assistance Services to the City; and

WHEREAS, the City Council has examined the proposed contract agreement a copy of which is attached hereto and incorporated by reference and entitled "Technical Assistance Agreement" Between the City of Mattoon, Illinois and the Coles County Regional Planning and Development Commission," and finds said contract agreement to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Illinois, that the **City** enter into and execute said Contract Agreement with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said Agreement.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 4<sup>th</sup> day of December, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Resolution 2007-2726, authorizing a \$2,100.00 agreement with the Coles County Regional Planning & Development Commission for administration of the Mattoon Revolving Loan Fund for services to be rendered from December 1, 2007 to November 30, 2008 on a time and expense basis.

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## CITY OF MATTOON, ILLINOIS

### RESOLUTION NO. 2007-2726

#### RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT

#### FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION SERVICES WITH THE COLES COUNTY REGIONAL PLANNING & DEVELOPMENT COMMISSION

WHEREAS, the City of Mattoon operates a State of Illinois capitalized Revolving Loan Fund, and;

WHEREAS, the Coles County Regional Planning and Development Commission has been deemed by the City Council as qualified to

administer said Revolving Loan Fund, said Commission furnishing a proposed contract agreement for Revolving Loan Fund administration services to the City, and

WHEREAS, The City Council has examined the proposed contract agreement, entitled "Contract Agreement for Administration and Coordination Services for State Capitalized Revolving Loan Fund," and finds the agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois that the City enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said AGREEMENT.

Upon motion by Mayor Cline, seconded by Commissioner Ervin adopted this 4<sup>th</sup> day of December 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to approve Council Decision Request 2007-825, ratifying the re-appointments of Merle Lowry, Jeff Collings, Mark Cox, and Mike Hamblen to the Public Works Advisory Board with three-year terms expiring December 31, 2010.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2007-826, appropriating \$239,000 of motor fuel tax funds for street maintenance uses for the calendar year 2008; approving the bid specifications for Seal Coat, Rock, Crack Sealer, Asphalt Hot Mix & Concrete for street maintenance uses; and authorizing the mayor to sign the document.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-827, accepting three utility easements located at 3320 DeWitt Avenue, 3321 DeWitt Avenue, and 3405 DeWitt Avenue for placement of a waterline at the Dollar General Store; and authorizing the mayor to sign the documents. Gibson Holdings/Peniel Group; Robert and Diana Michaels; and Joe Gillette – Property Owners.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner McKenzie moved to adopt Special Ordinance 2007-1255, declaring Police Department personal property owned by the municipality as surplus and authorizing its sale or disposal by any means necessary.

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## CITY OF MATTOON, ILLINOIS

### SPECIAL ORDINANCE NO. 2007-1255

#### AN ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY AS SURPLUS AND AUTHORIZING ITS SALE

**BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS  
FOLLOWS:**

**Section 1.** Supplies and equipment identified on Exhibit A to this ordinance are hereby declared surplus to the needs of the City of Mattoon.

**Section 2.** The City of Mattoon, Illinois does not express any warranty or imply any statement of condition of this surplus property. The Police Chief is hereby authorized to advertise these units for sale by the most advantageous means and to negotiate the conditions for their sale with any interested parties. The City of Mattoon shall reserve the right to accept or reject any and/or all offers for this property. Upon no offer for any of the items listed on Exhibit A, the Police Chief is authorized to dispose by any means necessary.

**Section 3.** The Mayor, City Clerk, Police Chief are hereby authorized to administratively sell the property listed on Exhibit A to this ordinance to the highest bidder without further formal consideration or approval by the City Council.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner McKenzie, adopted this 4<sup>th</sup> day of December, 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to adopt Ordinance 2007-5243, approving the Tax Increment Redevelopment Plan and Project for the Broadway East Redevelopment Project Area.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2007-5243**

#### **ORDINANCE APPROVING THE TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT FOR THE BROADWAY EAST REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Mattoon, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended, hereinafter referred to as the "Act" for the proposed Redevelopment Plan and Redevelopment Project within the municipal boundaries of the City of Mattoon and within the Broadway East Redevelopment Project Area (Area) as described in Exhibit A attached to this Ordinance, which constitutes in the aggregate more than 1-1/2 acres.

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on October 5, 2007 pursuant to Section 11-74.4-5 of the Act, said notice being given to all interested parties that have registered with the City concerning the proposed Broadway East Redevelopment Project Area.

WHEREAS, due notice in respect to the availability of the Redevelopment Plan, which contains an eligibility report, was given by mail on October 5, 2007 pursuant to Section 11-74.4-5 of the Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the Broadway East Redevelopment Project Area.

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and the proposed designation of the Broadway East Redevelopment Project Area on November 20, 2007 at the Mattoon City Hall.

WHEREAS, due notice in respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the Act, said notice being given to taxing districts and to the State of Illinois by certified mail on October 3, 2007, by publication on October 26, 2007 and November 6, 2007, and by certified mail to property owners within the Area on November 6, 2007.

WHEREAS, the Redevelopment Plan and Project set forth the factors constituting the need for abatement of conditions in the proposed redevelopment project area that have led to blight or may lead to blight, and the City Council have reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report and is generally informed of the conditions in the Broadway East Redevelopment Project Area as the terms "blighted area" and "conservation area" are defined in the Act.

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the Broadway East

Redevelopment Project Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Tax Increment Redevelopment Plan and Project for said Area.

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the Broadway East Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in the Broadway East Redevelopment Project Area would be substantially benefited by the proposed redevelopment project improvements.

WHEREAS, the City Council has reviewed its proposed Tax Increment Redevelopment Plan and Project and Comprehensive Plan, as amended, for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Project conform to the Comprehensive Plan of the City:

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, that:

1. The City Council of the City of Mattoon hereby makes the following findings:

a. The area constituting the Broadway East Redevelopment Project Area in the City of Mattoon, Illinois is described in Exhibit A, attached hereto and made part of this Ordinance.

b. There exist conditions that cause the area to be designated as a Redevelopment Project Area to be classified as a combination "conservation area" and "blighted area" as defined in Section 11-74.4-3 of the Act.

c. The Broadway East Redevelopment Project Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Redevelopment Plan.

d. The Redevelopment Plan and Redevelopment Project for the Broadway East Redevelopment Project Area conforms to the Comprehensive Plan, as amended, for the development of the municipality as a whole.

e. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property which will be substantially benefited by the proposed redevelopment project are included in the Broadway East Redevelopment Project Area.

f. The estimated date for the completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31 of the year in which the payment to the City Treasurer as provided in subsection (b) of Section 11-74.4-8 of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted.

2. The Tax Increment Redevelopment Plan and Project for the Broadway East Redevelopment Project Area, which were the subject matter of the hearing held on November 20, 2007, is hereby adopted and approved. A copy of the aforementioned Redevelopment Plan and Project, marked as Exhibit B is attached to and made a part of this Ordinance.

3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Upon motion by Mayor Cline, seconded by Commissioner Schilling, adopted this 4th day of December, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling.



Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to adopt Ordinance 2007-5244, designating the Broadway East Redevelopment Project Area.

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**CITY OF MATTOON, ILLINOIS**  
**ORDINANCE NO. 2007-5244**

**ORDINANCE DESIGNATING THE BROADWAY EAST REDEVELOPMENT PROJECT AREA**

WHEREAS, the City Council has heretofore in Ordinance No. 2007-5243 adopted and approved the Tax Increment Redevelopment Plan and Project for the proposed Broadway East Redevelopment Project Area with respect to which a public hearing was held on November 20, 2007 and it is now necessary and desirable to designate the area referred to in said plan as the Broadway East Redevelopment Project Area;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, that the area described the attached Exhibit A is hereby designated as the Broadway East Redevelopment Project Area pursuant to Section 11-74.4.4 of the Tax Increment Allocation Redevelopment Act:

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

This Ordinance shall be in full force and effect from and after its approval, passage, and publication as required by law.

Upon motion by Mayor Cline, seconded by Commissioner Schilling, adopted this 4th day of December, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Ordinance 2007-5245, adopting Tax Increment Financing (TIF) for the Broadway East Redevelopment Project Area.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2007-5245**

#### **ADOPTING TAX INCREMENT FINANCING FOR THE BROADWAY EAST REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Mattoon, Illinois desires to adopt tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended, hereinafter referred to as the "Act".

WHEREAS, the City of Mattoon has adopted a Tax Increment Redevelopment Plan and Project, designated the Broadway East Redevelopment Project Area pursuant to the provisions of the Act, and has otherwise complied with all other conditions precedent required by the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, that:

1. Tax increment financing is hereby adopted in respect to the Tax Increment Redevelopment Plan and Project for the Broadway East Redevelopment Project Area (Area) approved and adopted pursuant to Ordinance No. 2007-5243 of the City of Mattoon, which said Area was designated pursuant to Ordinance No. 2007-5244 and is described in the Exhibit A, attached hereto and made part of this Ordinance.

2. After the total equalized assessed valuation of taxable real property in Broadway East Redevelopment Project Area exceeds the total initial equalized assessed value of all taxable real property in the Broadway East Redevelopment Project Area, the ad valorem taxes, if any, arising from the levies upon real property in the Broadway East Redevelopment Project Area by taxing districts and the rates determined in the manner provided in Section 11-74.4-9(b) of the Act each year after the effective date of this Ordinance until the Broadway East Redevelopment Project Area costs and obligations issued in respect thereto have been paid shall be divided as follows:

a. That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized

assessed value of each such taxable lot, block, tract or parcel of real property in the Broadway East Redevelopment Project Area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

b. That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the Broadway East Redevelopment Project Area shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called "the Special Tax Allocation Fund for the Broadway East Redevelopment Project Area" of the City of Mattoon for the purpose of paying Broadway East Redevelopment Project Area costs and obligations incurred in the payment thereof, pursuant to such appropriations which may be subsequently made.

3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

4. This Ordinance shall be in full force and effect from and after its approval, passage, and publication as required by law.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 4th day of December, 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Ordinance 2007-5246, establishing and designating the Broadway East Business District and approving the Broadway East Business District Plan within the City of Mattoon, Illinois.

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2007-5246**

**AN ORDINANCE ESTABLISHING AND DESIGNATING THE  
BROADWAY EAST BUSINESS DISTRICT AND APPROVING  
THE BROADWAY EAST BUSINESS DISTRICT PLAN WITHIN  
THE CITY OF MATTOON, ILLINOIS**

**WHEREAS**, the City of Mattoon, Coles County, Illinois (the “**Municipality**”), is authorized under and pursuant to Division 74.3 (Business District Development and Redevelopment) of Article 11 (Public Health, Safety and Welfare) of the Illinois Municipal Code, Section 5/11-74.3-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes (as supplemented and amended, the “**Business District Act**”) to establish a business district to be named the “**Broadway East Business District**” (the “**Business District**”) and adopt and approve the related “**Broadway East Business District Plan**” (the “**Business District Plan**”); and

**WHEREAS**, the Municipality is interested in assisting in the financing of certain public and private improvements, infrastructure and facilities (i.e., **(i)** public works, construction of sidewalks, streetscape improvements, utility relocation, storm water controls and other public improvements; **(ii)** property assembly and relocation costs; **(iii)** building rehabilitation; **(iv)** site preparation, demolition and environmental abatement; **(v)** general administrative costs; and **(vi)** related facilities, improvements and costs, constituting, collectively, the “**Business District Project Costs**”) within the Business District; and

**WHEREAS**, the Business District is compact and contiguous and is totally within the corporate limits of the Municipality, and it is in the public interest to establish the Business District as a business district under the Act for the purposes herein set forth; and

**WHEREAS**, the Municipality on October 16, 2007, adopted a Resolution establishing a time and place for public hearings to consider the establishment of the Broadway East Business District and adoption of a Broadway East Business District Plan (the “**Resolution**”), which set the public hearings concerning the Business District for November 6, 2007 and November 20, 2007, (the “**Public Hearings**”); and

**WHEREAS**, the Municipality on October 23, 2007, mailed notice of the public hearings to the person or persons in whose name the general taxes for the last preceding year were paid (“**Taxpayers**”) on each lot, block, tract or parcel of land lying within the proposed Business District; and

**WHEREAS**, on October 19, 2007, October 23, 2007, November 9, 2007, and November 10, 2007, notices of the public hearings was published in the Mattoon Journal Gazette published in Mattoon, Illinois, and of general circulation within the Municipality, and the Public Hearings were duly held on November 6, 2007 and November 20, 2007.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The Municipality hereby designates the real estate described in the attached Exhibit A, “**Description of Broadway East Business District of the City of Mattoon, Coles County, Illinois**” as a business district under the Business District Act (65 ILCS 5/11-74.3-1 *et seq.*, as supplemented and amended), and as the Business district hereunder.

**Section 2.** Under the Business District Act, the Municipality hereby adopts and approves the Broadway East Business District Plan for the Broadway East Business District.

**Section 3.** The Broadway East Business District Plan shall be in the form presented to the Municipality’s corporate authorities at the time this ordinance is adopted. The Broadway East Business District Plan as so adopted and approved shall be on file with the City Clerk’s records with this ordinance (but any failure to so file it shall not abrogate, diminish or impair its effect).

**Section 4.** Obligations payable from and/or secured by revenues derived from the Business District may be issued for financing Business District Project Costs.

**Section 5.** The City Clerk shall file a certified copy of this ordinance with the County Clerk of Coles County, Illinois.

**Section 6.** The Mayor, the City Clerk, the City Treasurer, the City Attorney and other officials, consultants, employees and attorneys of the Municipality are hereby authorized and directed on behalf of the Municipality to do such things as may be necessary or desirable to carry out the transactions contemplated by and to give full effect to this ordinance without further act or deed on the part

of the Municipality's corporate authorities.

**Section 7.** If any portion of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the remaining portions of this resolution.

**Section 8.** Pursuant to Section 1-2-4 of the Illinois Municipal Code, this ordinance shall be in full force and effect immediately upon its passage and approval.

Upon motion by Mayor Cline seconded by Commissioner Hall, adopted this 4<sup>th</sup> day of December, 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to adopt Ordinance 2007-5247, adopting a Municipal Retailers' Occupation Business District Tax, Business District Service Occupation Tax and Business District Hotel Operators' Occupation Tax for the Broadway East Business District.

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**CITY OF MATTOON, ILLINOIS**  
**ORDINANCE NO. 2007-5247**

**AN ORDINANCE ADOPTING A MUNICIPAL RETAILERS' OCCUPATION BUSINESS DISTRICT TAX, BUSINESS DISTRICT SERVICE OCCUPATION TAX AND BUSINESS DISTRICT HOTEL OPERATORS' OCCUPATION TAX**

**WHEREAS**, the City of Mattoon passed Ordinance No. 2007-5246 adopting the Broadway East Business District Plan; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Effective July 1, 2008, a tax is hereby imposed upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this state's government, at retail within the boundaries of the Broadway East Business District at the rate of one percent (1.0%) of the gross receipts from such sales made in the course of such business while this ordinance is in effect; and a tax is hereby imposed upon all persons engaged within the

boundaries of the Broadway East Business District in the business of making sales of service, at the rate of one percent (1.0%) of the selling price of all tangible personal property transferred by such serviceman as an incident to a sale of service; and a tax is hereby imposed upon all persons engaged within the boundaries of the Broadway East Business District in the renting, leasing, or letting of hotel rooms at the rate of one percent (1.0%) of the gross rental receipts from such sales made in the course of renting, leasing, or letting hotel rooms while this ordinance is in effect. This "Business District Retailers' Occupation Tax" and this "Business District Service Occupation Tax" shall not be applicable to the sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes and needles used by diabetics. This "Business District Hotel Operators' Occupation Tax" shall not be applicable to gross rental receipts from the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.

The imposition of these Business District Taxes is in accordance with the provisions of subsections (b), (c) and (d), respectively, of Section 11-74.3-6 of the Illinois Municipal Code (65 ILCS 5/11-74.3-6). The City Council shall adopt an ordinance to discontinue these Business District Taxes such that said taxes shall not be imposed for more than 23 years, in accordance with Illinois Law, within the time frame necessary to duly notify the Illinois Department of Revenue (not less than 3 months but no more than 8 months prior to discontinuation).

**Section 2.** The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto shall be collected administered, and enforced in accordance with 65 ILCS 5/11-74.3-6. In accordance with 65 ILCS 5/11-74.3-6 the City of Mattoon shall administer, collect and enforce the Business District Hotel Operators' Occupation Tax.

**Section 3.** The Municipal Clerk is hereby directed to file a certified copy of this ordinance with the Illinois Department of Revenue.

Upon its passage and approval, this ordinance shall be in full force and affect ten (10) days after its publication and pamphlet form is required by law.

Upon motion by Mayor Cline seconded by Commissioner Schilling, adopted this 4<sup>th</sup> day of December 2007, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2007-1256, authorizing a renewal contract with PersonalCare for the Administration of the self-insured health plan and Delta Dental of Illinois for the Administration of the self-insured dental plan for employees and retirees of the municipality.

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CITY OF MATTOON, ILLINOIS

*SPECIAL ORDINANCE NO. 2007-1256*

**AN ORDINANCE AUTHORIZING A RENEWAL AGREEMENT WITH PERSONALCARE INSURANCE OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED MEDICAL AND PHARMACY BENEFIT PLAN AND DELTA DENTAL OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED DENTAL BENEFIT PLAN FOR EMPLOYEES AND RETIREES OF THE MUNICIPALITY**

**WHEREAS**, the City of Mattoon, Illinois employee and retiree group has demonstrated exceptional health insurance experience, and

**WHEREAS**, this group health insurance history has resulted in favorable renewal premium rates, and

**WHEREAS**, it is the desire of the Mattoon City Council to maintain and continue the relationship with the Personal Care Insurance of Illinois and Delta Dental plans currently offered through the Checkley Agency to its employees and retirees, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The mayor is authorized to sign a renewal agreement with PersonalCare Insurance of Illinois, Inc. for the administration of the self-funded medical and pharmacy benefit plan and the Delta Dental plan for employees and retirees of the municipality, copies of which are attached and incorporated by reference.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 4<sup>th</sup> day of December, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,  
Commissioner McKenzie, Commissioner Schilling,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 4<sup>th</sup> day of December, 2007.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 5, 2007.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Schilling seconded by Commissioner Hall moved to adjourn at 7:10 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien  
City Clerk